THE HONORABLE RONALD B. LEIGHTON

2

1

3

4

5

6

7

9

10

11

12

13

14 15

16

17

18

19

20

21 22

2324

25

26

28

27

STIPULATED FINAL JUDGMENT (07-CV-05375 RBL) 3532030_1.DOC

07-CV-05375-JGM

FILED LODGED

NOV 2 1 2008

CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOM
TY
DEPL

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON

AT TACOMA

THE CAMPBELL PET COMPANY,

Plaintiff,

v.

THERESA MIALE; and TY-LIFT ENTERPRISES, a California corporation,

Defendants.

CASE NO.: 07-CV-5375 RBL

STIPULATION AND FINAL JUDGMENT

[Proposed]

I. STIPULATION

COME NOW, Plaintiff Campbell Pet Co., by and through its counsel of record, Kurt M. Rylander of Rylander & Associates, PC, and Defendants Theresa Miale and Ty-Lift Enterprises, by and through their joint counsel of record, F.T. Alexandra Mahaney of Wilson Sonsini Goodrich & Rosati, PC, and stipulate to the entry of a final judgment in this matter that (1) Campbell Pet Company's Mobile Folding Stretcher does not infringe any claim of U.S. Patent Serial Number 6,199,508 and (2) Campbell Pet Company's Mobile Folding Stretcher does not infringe any claim of U.S. Patent Serial Number 6,230,662. The Parties further stipulate that

RYLANDER & ASSOCIATES PC 406 West 12th Street Vancouver, WA 98660 (360) 750-9931

-1-

1	all other claims between the Parties are to be dismissed without prejudice, and that each side			
2	shall bear its own atterneys' fees and costs, excepting Plaintiff's costs in its successful appeal.			
3		11/2		, ,
4	By:	1/29/08	By: Mexing 10	11/19/08
5	Kurt M. Rylander WSBA 27819 406 West 12th Street	Date	F.T. Alexandra Maraney CA Bar No. 125984 \ 12235 El Camino Real	Date
6	Vancouver, WA 98660		Suite 200	
/7	9360) 750-9931 rylander@pacifier.com Of Attorneys for Plaintiff		San Diego, CA 92130 (858) 350-2311 amahaney@wsgr.com	
8	0.1		Of Attorneys for Defendants	
9				
10				
11				
12		•		
13				
14				
15		•		
16			•	
17			•	
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				

-2-

28

II. ORDER AND FINAL JUDGMENT

The Court having jurisdiction over the claims and Parties, and having reviewed the record in this case and the above Stipulation by the Parties, hereby ORDERS, ADJUDGES AND DECREES as follows:

- (1) That Campbell Pet Company's Mobile Folding Stretcher does not infringe any claim of U.S. Patent Serial Number 6,199,508;
- (2) That Campbell Pet Company's Mobile Folding Stretcher does not infringe any claim of U.S. Patent Serial Number 6,230,662;
 - (3) All other claims between the Parties are dismissed without prejudice; and
- (4) Each Party is to bear its own fees and costs in this District Court case, except as agreed to by the Parties.

Entered This: <u>November</u> 20, 2008

THE HONORABLE RONALD B. LEIGHTON U.S. DISTRICT COURT JUDGE

16 Presented by:

1

2

3

5

6

7

8

9

10

11

12

13

14

15

17

18

19

20

RYLANDER & ASSOCIATES PC

<u>/s/Kurt M. Rylander</u>

KURT M. RYLANDER, WSBA 27819

MARK E. BEATTY, WSBA 37076

RYLANDER & ASSOCIATES PC

406 West 12th Street

21 Vancouver, WA 98660

(360) 750-9931

22 rylander@pacifier.com markbeatty@pacifier.com

Of Attorneys for Plaintiff

24

23

25

26

27

28